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571-273-8300

FROM:

Karen Harding

Johnson & Johnson

One Johnson & Johnson Plaza New Brunswick, NJ 08933-7003

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(904-443-3078)

Re:

**U\$ Serial No. 10/766,446** 

Our Reference: VTN0573usdiv

80

Total Pages Sent: 38 (including this cover sheet)

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Docket No. VTN0537USDIV

# IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Douglas G. Vanderlaan et al.

Serial No.: 10/766,446

Art Unit: 1712

Filed

: January 28, 2004

Examiner: Kuo Liang Peng

For

: SOFT CONTACT LENSES

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9/1/2005

Linda Long
(Name of applicant, assignes, or Registered Representativa)

(Signature)

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

### INFORMATION DISCLOSURE STATEMENT

Dear Sir:

Pursuant to 37 C.F.R. §1.56 and in accordance with 37 C.F.R. §§1.97-1.98, information relating to the above-identified application is hereby disclosed. Inclusion of information in this statement is not to be construed as an admission that this information is material as that term is defined in 37 C.F.R. §1.56(b).

Applicant(s) reserve(s) the right to establish the patentability of the claimed invention over any of the information provided herewith, and/or to prove that this information may not be prior art, and/or to prove that this information may not be enabling for the teachings purportedly offered.

This statement should not be construed as a representation that a search has been made, or that information more material to the examination of the present patent application does not exist.

Disclosure Statement is being filed either within three months of the filing date of the above-identified national application (other than a continued prosecution application under \$1.53(d)), within three months of the date of entry into the national stage of the above identified application as set forth in \$1.491, or before the mailing date of a first Office Action on the merits of the above-identified application, or before the mailing date of a first Office Action entry into the mailing date of a first Office Action after the filing of a request for continued examination under \$1.114, no additional fee is required.

☐ In a	ccordance with §1.129(a), this Information
Disclosure Stat	tement is being filed in connection with [] the
first or  seco	ond After Final Submission, therefore:
	Statement in Accordance with §1.97(e)
	(attached); or
	Please charge Deposit Account No. 10-
	0750/ / the fee of \$180.00 as set forth

In accordance with §1.97(c), this Information
Disclosure Statement is being filed after the period set forth
in §1.97(b) above but before the mailing date of either a Final
Action under §1.113 or a Notice of Allowance under §1.311, or
an action that otherwise closes prosecution and that it is
accompanied by one of:

Statement in Accordance with §1.97(e) (attached); or

in §1.17(p).

	Please charge Deposit Account No. 10-0750/ / the fee of \$180.00 as set forth in \$1.17(p).
either a Funder \$1. Applicant Information Accordance \$180.00 as	In accordance with §1.97(d), this Information statement is being filed after the mailing date of Final Action under §1.113 or a Notice of Allowance 311 but before the payment of the Issue Fee.  (s) hereby petition(s) for consideration of this on Disclosure Statement. Included are: Statement in with §1.97(e) as set forth below and the fee of set forth in §1.17(p).  Copies of each of the references listed on the
attached :	Form PTO-1449 are enclosed herewith.
□ 1449 are	Copies of references listed on the attached Form PCO enclosed herewith EXCEPT THAT:
· .	In view of the voluminous nature of references [list as appropriate], and the likelihood that these references are available to the Examiner, copies are not enclosed herewith.
	If any of the foregoing publications are not available to the Examiner, Applicant will endeavor to supply copies at the Examiner's request.
patent li	Copies of only foreign patent documents and non- terature are enclosed in accordance with 37 CFR 1.38
	There are no listed references which are not in the
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The relevance of those listed references which are
not in the English language is as follows:
Attached are copies of search report(s) from corresponding patent application(s), which are listed on the
attached Submission Under MPEP 609 D.
The speed are the following non-published pending

patent applications which may be deemed relevant, which are listed on the attached Submission Under MPEP 609 D.

Please charge any deficiency or credit any overpayment to Deposit Account No. 10-0750/VTN0537USDIV/KAH. This form is submitted in triplicate.

Respectfully submitted,

Karen A. Harding Reg. No. 33,967

Attorney for Applicants

Johnson & Johnson
One Johnson & Johnson Plaza
New Brunswick, NJ 08933-7003
(904) 443-3074
DATED: Sopi -/ 2005

Attached are the following non-published pending patent applications which may be deemed relevant, which are listed on the attached Submission Under MPEP 609 D.

Please charge any deficiency or credit any overpayment to Deposit Account No. 10-0750/VTN0537USDIV/KAH. This form is submitted in triplicate.

Respectfully submitted,

Reg. No. 33,967

Attorney for Applicants

Johnson & Johnson One Johnson & Johnson Plaza New Brunswick, NJ 08933-7003 pt.1,2005 (904) 443-3074

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Linda Long

(Name of applicant, assignee, or Registered Representative)

9/1/2005

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

#### STATEMENT UNDER 37 C.F.R. \$1.97(e)

In accordance with 37 C.F.R. §1.97(e), certification is hereby made that:

Each item of information contained in the information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the Information Disclosure Statement; or

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Disclosure Statement was cited in a communication from a foreign

patent office in a counterpart foreign application, and, to the

knowledge of the undersigned after making reasonable inquiry, no item

knowledge of the undersigned after making reasonable inquiry, no them of information contained in this Information Disclosure Statement was known to any individual designated in \$1.56(c) more than three months prior to the filing of this Information Disclosure Statement.

Karen A. Harding

Reg. No. 33,967

Attorney for Applicants

Johnson & Johnson
One Johnson & Johnson Plaza
New Brunswick, NJ 08933-7003
(904) 443-3074
DATED: 9/1/05

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Under the Paperwork Reduction Act of 1895, no persons are required to respond to a collection of information unless it displays a valid OMB control in amber. Application Number 10/766,443 Substitute for form 1449A/PTO January 23, 2004 Filing Date Douglas G. Vanderlaan INFORMATION DISCLOSURE First Named Inventor et al. STATEMENT BY APPLICANT 1712 Group Art Unit Kuo Liang Iseng Examiner Name (uae as many ahasta as necessary) VTN0537USDIV Attorney Docket Number Sheet 1 of 1

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1 Unique citation designation number, 2 See attached Kinds of U.S. Patent Documents, 3 Enter Office that issued the document, by the 1-m-letter code (WIPO Standard ST.3), 4 Fer Japanese patent documents, the indication of the year of the reign of the Empend must precede the 3-risal number of the patent document, 5 Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST, 18 if possible, 8 Applicant is to place 3 check mark here if English language Translation is attached.

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